

REMARKS

In the Office Action of November 22, 2005, the Examiner rejected claim 36 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention; rejected claims 1-4, 7-13, 15, 16, 29, 30, 32-34, and 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ravenscroft (U.S. Patent No. 5,702,418) in view of St. Germain et al. (U.S. Patent No. 5,534,007); and rejected claims 5, 6, 17-21, 23-28, 31, 36-41, and 43 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ravenscroft as modified by St. Germain et al. and further in view of Lenker et al. (U.S. Patent No. 5,749,921).

By this Amendment, Applicants amend claims 1, 5, 17, 29, 31, 36 and 44. Accordingly, claims 1-13, 15-21, 23-34, 36-41, and 43-44 are currently pending. Of these claims, claims 1, 5, 17, 29, 31, 36, and 44 are independent.

Applicants respectfully traverse the rejection of claim 36 under 35 U.S.C. § 112, second paragraph. However, in order to expedite prosecution of this application, Applicants have amended claim 36 to recite the holding sleeve language of claim 29, which was not objected to by the Examiner. Accordingly, Applicants request reconsideration and withdrawal of the claim rejection.

Applicants respectfully traverse the rejections of claims 1-4, 7-13, 15, 16, 29, 30, 32-34, and 44 over Ravenscroft in view of St. Germain et al. Neither reference, taken alone or in combination, teaches or suggests each and every element of independent claims 1, 29, and 44. In particular, the applied references at least fail to disclose the claimed combination including a catheter having a distal end; a holding sleeve

positioned about a tubular member and configured to retain a stent, wherein the holding sleeve is positioned within an interior of the stent; and an inflatable device disposed solely between the holding sleeve and the distal end of the catheter.

Ravenscroft discloses a stent delivery system 10 including, among other things, an elongated catheter 11 extending between a proximal handle 12 and a distal end tip 13, an axially extending plastic core 14 having a flexible thin portion 17, and first and second rings 23 attached to the thin portion 17. Ravenscroft further discloses that a balloon 60 may underlie a stent 50 to aid in stent expansion. See col. 7, lines 10-18, and Fig. 7 of Ravenscroft.

Ravenscroft, however, fails to disclose a holding sleeve positioned about a tubular member and configured to retain a stent, wherein the holding sleeve is positioned within an interior of the stent. Even assuming that the first and second rings 23, collectively or alone, can be construed to read on the claimed "holding sleeve," which Applicants do not necessarily concede, Ravenscroft fails to teach each and every element of amended independent claims 1, 29, and 44 because balloon 60 is not disposed solely between rings 23 and the distal end of the catheter. See Fig. 7 of Ravenscroft.

Having recognized that Ravenscroft "fails to disclose a holding sleeve configured to retain the positioning of the stent, wherein the inflatable device is disposed solely between the holding sleeve and the distal end of the catheter," the Examiner proposes to modify Ravenscroft, with the teachings of St. Germain et al., to include a holding sleeve. See November 22, 2005, Office Action at page 4.

St. Germain et al. discloses a stent delivery system having, among other things, a catheter 5, a retractable distal sheath 40, a stent 35, and a stopper 60 located at the proximal end of stent 35. See Figs. 1-3, and col. 4, lines 34-38. Even assuming stopper 60 can be construed to read on the claimed "holding sleeve," which Applicants do not necessarily concede, St. Germain et al. fails to cure the deficiencies of Ravenscroft because stopper 60 is not positioned within an interior of a stent.

Accordingly, the Examiner's proposed combination of Ravenscroft and St. Germain et al. does not suggest each and every recitation of independent claims 1, 29, and 44, and therefore, claims 1, 29, and 44 and their dependents are allowable over these references.

Applicants respectfully traverse the rejections of claims 5, 6, 17-21, 23-28, 31, 36-41, and 43 over Ravenscroft as modified by St. Germain et al. and further in view of Lenker et al. Even if Lenker et al. teaches what the Examiner alleges (and Applicants do not necessarily agree that it does), this reference fails to overcome the shortcomings of the references discussed above. Accordingly, claims 5, 6, 17-21, 23-28, 31, 36-41, and 43 are allowable at least for the reasons discussed above with respect to Ravenscroft and St. Germain et al.

If the Examiner wishes to discuss this application, he is invited to call the undersigned at 202-408-4140.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

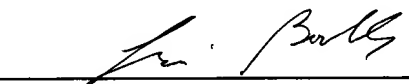
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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